

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 7090

BILL NUMBER: SB 311

NOTE PREPARED: May 1, 2003

BILL AMENDED: Apr 26, 2003

SUBJECT: Criminal History Information.

FIRST AUTHOR: Sen. Bray

FIRST SPONSOR: Rep. L. Lawson

BILL STATUS: Enrolled

FUNDS AFFECTED: ☒ **GENERAL**
☒ **DEDICATED**
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill has the following provisions:

(A) It provides that a law enforcement agency may release criminal history information and collect a fee for the release of criminal history information only if the law enforcement agency has properly reported arrests to the State Police.

(B) It provides that a reportable offense includes all felonies and those misdemeanors designated by the superintendent of the State Police.

(C) It requires fingerprinting of a person arrested and charged with a reportable offense.

Effective Date: July 1, 2003.

Explanation of State Expenditures: *Provision B:* Under current law, reportable offenses include arrests for all felonies and Class A misdemeanors. This provision would include arrests for Class B and C misdemeanors as reportable offenses. Adding these arrests will increase the number of records that would be included in the criminal history database maintained by the Indiana State Police.

Explanation of State Revenues:

Explanation of Local Expenditures: *Background:* The State Police report that, in actual practice, at least 30 local law enforcement agencies already fingerprint persons arrested for Class B and C misdemeanors at county jails and that many fingerprint cards are already submitted to the Central Repository for these offenses. The State Police also indicate that at least 30 local law enforcement agencies now have automated fingerprint stations at county jails which scan a person's hand. When the majority of local law enforcement agencies have scanning capabilities, submissions for criminal history records will be much more uniform.

In addition, with arrest records online and improvements made in computer systems through the Judicial Technology and Automation Project, courts will have this information accessible when deciding on sentencing options for criminal defendants.

Explanation of Local Revenues: *Provision A:* A law enforcement agency may release or provide for inspection requested criminal history information and collect fees to defray the cost of processing a request for inspection or release. Under the bill, unless the department reports all arrests for reportable offenses to the State Police, the department would not be able to release requested information or collect fees. Revenues for a law enforcement agency that fulfills requests but does not report to the State Police may be affected.

State Agencies Affected: Indiana State Police.

Local Agencies Affected: Local law enforcement agencies.

Information Sources: Major Anthony Sommer.

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